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10 Attorneys for Petitioner

11 **UNITED STATES DISTRICT COURT**  
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 C.L.V., *Detainee, Otay Mesa*  
14 *Detention Center,*

Case No: 25-cv-2795-JO-AHG

15 Petitioner,

16 v.

**PETITIONER’S DECLARATION  
17 CONCERNING SERVICE OF  
18 SUMMONS AND HABEAS  
19 PETITION**

20 CHRISTOPHER J. LAROSE, *as*  
21 *Senior Warden, Otay Mesa*  
22 *Detention Center; U.S.*  
23 *DEPARTMENT OF*  
24 *HOMELAND SECURITY; U.S.*  
25 *IMMIGRATION AND CUSTOMS*  
26 *ENFORCEMENT; KRISTI NOEM,*  
27 *as Secretary of the United States*  
28 *Department of Homeland Security;*  
*TODD LYONS, as Acting Director*  
*of U.S. Immigration and Customs*  
*Enforcement; PATRICK DIVVER,*  
*ICE Enforcement and Removal*  
*Office Field Operations Director for*  
*San Diego; and DOES 1–10.*

Respondents.

1 I, Liam Barrett, Esq., being duly sworn, hereby declare:

2 1. I am an attorney licensed to practice law in the State of California and  
3 admitted to practice in the Southern District of California. I represent the Petitioner  
4 in the above-referenced action. I make the following declaration based on my  
5 personal knowledge. If called to testify to the matters set forth herein, I could and  
6 would competently testify to these matters based on my personal knowledge.

7 2. On October 20, 2025, Petitioner filed a petition for writ of habeas  
8 corpus.

9 3. On October 21, 2025, the Court issued a minute order directing  
10 Petitioner to serve Respondents and the U.S. Attorneys Office for the Southern  
11 District of California with the habeas petition by 5:00 p.m. on October 22, 2025, and  
12 file proofs of service. Dkt. No. 6.

13 4. Petitioner served Respondents each by Certified Mail as required and  
14 also made additional attempts by personal service for the sake of thoroughness. He  
15 now files proofs of service on the Respondents and the U.S. Attorney's Office, as  
16 follows:

17 **Respondent Christopher J. LaRose**

18 5. Petitioner served Christopher J. LaRose by certified mail on October  
19 22, 2025.<sup>1</sup> The Declaration of Service and Certified Mail Receipt is attached hereto  
20 as **Exhibit 1**.

21 6. Petitioner also served Christopher J. LaRose via Personal Service on  
22 October 22, 2025. Petitioner is waiting for the process server's official proof of  
23 service. The confirmation of service from the process service company is attached  
24 as **Exhibit 2**.

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26 <sup>1</sup> Generally, the federal courts considered documents served by mail as served  
27 upon mailing. *See* Fed. R. Civ. P. 5(b)(2)(C).

1 7. Petitioner will file the proof of service along with the signed certified  
2 mail receipt once it is received from Christopher J. La Rose.

3 **Respondent Todd Lyons**

4 5. Petitioner served Todd Lyons by certified mail on October 22, 2025.  
5 The Declaration of Service and Certified Mail Receipt is attached hereto as

6 **Exhibit 3.**

7 6. Petitioner also served Todd Lyons via Personal Service on  
8 October 22, 2025. Petitioner is awaiting the process server's official proof of  
9 service to file with the Court. The confirmation of service from the process service  
10 company is attached as **Exhibit 4.**

11 7. Petitioner will file the proof of service along with the signed certified  
12 mail receipt once it is received from Todd Lyons.

13 **Respondent U.S. Immigration and Customs Enforcement**

14 8. Petitioner served the U.S. Immigration and Customs Enforcement by  
15 certified mail on October 22, 2025. The Declaration of Service and Certified Mail  
16 Receipt is attached hereto as **Exhibit 5.**

17 9. Petitioner also served the U.S. Immigration and Customs Enforcement  
18 via Personal Service on October 22, 2025. Petitioner is awaiting the process server's  
19 official proof of service to file with the Court. The confirmation of service from the  
20 process service company is attached as **Exhibit 6.**

21 10. Petitioner will file the proof of service along with the signed certified  
22 mail receipt once it is received from the U.S. Immigration and Customs  
23 Enforcement.

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**Respondent Patrick Divver**

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2 11. Petitioner served Patrick Divver by certified mail on October 22, 2025.  
3 The Declaration of Service and Certified Mail Receipt is attached hereto as **Exhibit**  
4 **7.**

5 12. Petitioner served Patrick Divver via Personal Service on  
6 October 22, 2025. Petitioner is awaiting the process server's official proof of service  
7 to file with the Court. The confirmation of service from the process service company  
8 is attached as **Exhibit 8.**

9 13. Petitioner will file the proof of service along with the signed certified  
10 mail receipt once it is received from Patrick Diver.

**Respondent Kristi Noem**

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12 14. Petitioner served Kristi Noem by certified mail on October 22, 2025.  
13 The Declaration of Service and Certified Mail Receipt is attached hereto as **Exhibit**  
14 **9.**

15 15. Petitioner attempted Personal Service of the petition for writ of habeas  
16 corpus on October 22, 2025. The process server advised counsel for Petitioner that  
17 they were advised that they were unable to serve by person, as this respondent only  
18 accepts service via certified mail. Communications between counsel and the process  
19 server's company are attached as **Exhibit 10.**

20 16. Petitioner will file the proof of service along with the signed certified  
21 mail receipt once it is received from Kristi Noem.

**Respondent Department of Homeland Security**

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23 17. Petitioner served the Department of Homeland Security by certified  
24 mail on October 22, 2025. The Declaration of Service and Certified Mail Receipt is  
25 attached hereto as **Exhibit 11.**

1 18. Petitioner attempted Personal Service of the petition for writ of habeas  
2 corpus on October 22, 2025. The process server advised counsel for Petitioner that  
3 they were advised that they were unable to serve by person, they only accept service  
4 via certified mail. Communications between counsel and the process server's  
5 company are attached as **Exhibit 12**.

6 19. Additionally, as set forth in 6 C.F.R. § Pt. 5, Subpt. C, Appx. A(a)-(b),  
7 Petitioner emailed a copy to OGC@hq.dhs.gov. The Department of Homeland  
8 Security responded, informing Petitioner that one "can't personally serve the  
9 documents" and instructing Petitioner to serve via Certified Mail. A copy of  
10 Petitioner's communications with the Department are Attached as **Exhibit 13**.

11 20. Petitioner will file the proof of service along with the signed certified  
12 mail receipt once it is received from the Department of Homeland Security.

13 **United States Attorney's Office**

14 21. Petitioner served the U.S. Attorney's Office for the Southern District of  
15 California by certified mail on October 22, 2025. The Declaration of Service and  
16 Certified Mail Receipt is attached hereto as **Exhibit 14**.

17 22. Petitioner served the United States Attorney's Office for the Southern  
18 District of California by personal service on October 22, 2025. Petitioner is awaiting  
19 the process server's official proof of service to file with the Court. The confirmation  
20 of service from the process service company is attached as **Exhibit 15**.

21 23. Petitioner will file the proof of service along with the signed certified  
22 mail receipt once it is received from the U.S. Attorney's Office for the Southern  
23 District of California.

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1 DATED: October 22, 2025

2 Respectfully submitted,  
3 SINGLETON SCHREIBER, LLP

4 /s/ Liam S. Barrett  
5 Liam S. Barrett  
6 *Attorney for Petitioner*  
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